



A STRONG VOICE FOR OREGON'S WORKERS

TO: Chair Holvey
Vice-Chairs Bonham and Grayber
Members of the House Business and Labor Committee

FR: Catie Theisen, OR AFL-CIO

RE: HB 2358 Farmworker Overtime Support

March 8, 2021

The Oregon AFL-CIO represents 300,000 workers across Oregon and is a voice for all workers in the legislative process. We're excited to support HB 2358 to help dismantle part of the structural racism in our state's laws which explicitly excludes Oregon's farm workers from accessing overtime pay for their labor.

Oregon's farmworkers are undeniably a critical part of our economy and workforce. According to OHA, there are an estimated 174,000 migrant and seasonal farmworkers, and related family members, that contribute to Oregon's multi-billion dollar agricultural industry.¹ And as our communities dealt with a respiratory pandemic, unprecedented wildfires, and more recently, a winter storm, agricultural workers have worked everyday to keep food on our tables. They are essential workers and they deserve to be paid fairly for their labor.

HB 2358 is not only an issue of basic fairness and equity, but also a critical tool for our economy. According to the National Agricultural Workers Survey, individual farm workers earn \$15,000 to \$17,499 a year and families are estimated to make between \$20,000 and \$25,000.² This is in addition to a higher risk of adverse health effects from prolonged exposure to extreme heat and wildfire smoke and a lack of employer-provided health care. Making sure these Oregonians can support themselves and their families will ultimately save costs to our health care system and help stimulate our economy long-term.

HB 2358 simply pays farm workers for their labor -- pay that has been available to the majority of other workers since the Federal Labor Standards Act of 1938. It guarantees overtime pay to agricultural workers after 40 hours in a workweek at one and one-half times the employee's regular rate of pay. This includes farmworkers who are paid by piece-rate (how many crops they produce) or hourly. We recognize that the nature of seasonal work means that a typical 9-to-5 year-round job is a challenge. However, seasonal work also doesn't mean that workers -- most of whom have been historically and currently marginalized -- should not be afforded the same rights and benefits for their work.

As the Oregon AFL-CIO, we urge your Yes vote on HB 2358 to overturn this racist piece of Oregon's statute that explicitly continues to exploit Black and Latinx workers. Oregon's farmworkers are essential -- before and after this pandemic -- and deserve to be afforded the same basic labor standards as every other class of Oregon workers.

¹ OHA, Vital Role of Migrants in the State Economy.

<https://www.oregon.gov/oha/HPA/HP-PCO/Pages/Migrant-Health.aspx#:~:text=An%20estimated%20174%2C000%20migrant%20and,multi%2Dbillion%20dollar%20agricultural%20industry.>

² National Farm Worker Ministry: Low Wages <http://nfwm.org/farm-workers/farm-worker-issues/low-wages/>